

The logo for Human Rights Watch, consisting of a blue square with the words "HUMAN RIGHTS WATCH" in white, uppercase letters arranged in three lines: "HUMAN", "RIGHTS", and "WATCH".

HUMAN  
RIGHTS  
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**NOVEMBER 10, 2009**

## **Iran: Kurdish Activist Executed**

Ehsan Fattahian to be Executed on November 11  
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### **Update:**

Iranian authorities executed Ehsan Fattahian by hanging at Sanandaj Central Prison sometime between 6:30 and 7 a.m. on November 11, 2009. Nasrollah Nasri, Fattahian's lawyer, told Human Rights Watch one hour after the sentence was carried out that he and Fattahian's family had believed authorities would grant him a last-minute reprieve, considering the irregularities in the trial and the lack of solid evidence against the defendant. "We are shocked," Nasri said. He did not deserve death. Even his initial ten-year prison sentence was unfair.

Nasri added that the judicial authorities refused to allow Fattahian's family to visit him before they carried out the execution.

(New York) - Iran's Judiciary should block the execution of Ehsan Fattahian, scheduled for November 11, 2009, and revoke his death sentence, Human Rights Watch said today.

A court sentenced Fattahian, a Kurdish activist, to death after reportedly closed proceedings in which, according to his lawyer, no evidence was presented that he had engaged in violence. Fattahian has said he was tortured for three months in detention.

"Iran needs to halt this execution," said Sarah Leah Whitson, Middle East and North Africa director at Human Rights Watch. "Instead of killing Fattahian, the authorities should be investigating the torture and other abuses he says he suffered."

Authorities arrested Fattahian in July 2008 in the city of Kamyaran, in Kordestan province, and charged him with committing acts against national security that constituted "war against God and the state" (*moharebeh*, a grave offense in Iran's Shari'a-based law). A court in Kamyaran sentenced Fattahian to ten years of "prison in exile," meaning that he would be required to serve his time in a prison located far from his home.

Fattahian admitted to membership in the banned militant Kurdish opposition group Komeleh, but denied that he had committed any violent acts. He appealed the sentence, as did the Kamyaran Revolutionary and General

Courts prosecutor. The prosecutor sought the death penalty, citing amendment 3 of article 22 of the General and Revolutionary Courts code and articles 186, 190, and 191 of the Islamic Penal code. The Revolutionary Court of Sanandaj changed Fattahian's sentence to death.

Iranian human rights activists told Human Rights Watch that Fattahian's trial was held behind closed doors. Fattahian's lawyer, who asked to remain anonymous, said no proof was presented in court that his client had engaged in armed operations.

In a letter that Fattahian sent from the prison and that appeared on November 9 on the website of "Human Rights Activists in Iran," an independent human rights group, he accused his interrogators of torturing him:

After my arrest in the city of Kamyaran, after spending a few hours in that city's local Ministry of Information Office, while I was blindfolded and handcuffed, unable to move or to see anything, someone who introduced himself as a deputy prosecutor started asking me some questions, making many unwarranted accusations...

This was the first of my numerous interrogations. I was transferred to the Kurdistan Province Information Office in Sanandaj that night and faced a filthy cell with a stinking toilet and blankets, which had probably been last washed ten years ago. From then on, every night and day I was taken to the interrogation rooms in the lower hallway and faced beatings and unbearable torture, which continued endlessly for three months...

The esteemed interrogators engaged in announcing strange new charges against me, which they knew better than anybody else were all fabricated. They said I had engaged in armed operations, charges that they tried very hard to prove. The only charges they could prove were membership in *Komeleh* and propaganda against the regime.

In the letter, Fattahian wrote that a short time before the appeals court changed his sentence to death, authorities transferred him from Central Sanandaj Prison to an office of the Information Ministry, where he was asked to confess before a video camera to crimes he had not committed, and to make declarations that ran counter to his beliefs. "Despite immense pressure, I did not accept their illegitimate request, and they explicitly told me that they would change my sentence to death," he wrote.

Ezzatollah Fattahian, the defendant's father, told Human Rights Watch that prison officials had prevented the family from visiting his son in prison for the past three months.

Iran carries out more executions annually than any other nation but China. Human Rights Watch, which opposes capital punishment in all instances, has urged the Iranian government to stop using the death penalty because it is inherently cruel and irrevocable.

## **Background**

Article 186 of Islamic Penal Code states that when any group or organization attempts armed confrontation against the Islamic Republic of Iran, so long as its leadership is intact, all its members and supporters who are

aware of the organization's positions and take steps to further its objectives, are "enemies of God," even if they are not involved in its military branch.

Article 190 of Islamic Penal Code states that there are four possible punishments for "war against God or corruption on earth": death, death by hanging; amputation of the right hand and then the left foot; or permanent internal exile. Article 191 of the Islamic Penal Code gives the judge the discretion to choose the punishment.

**Region / Country**

- Middle East/North Africa
- Iran

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